

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

EDWARD R. NEWSOME,
TDCJ #437698,

Plaintiff,

v.

HARRIS COUNTY DIRECTOR, *et al.*,

Defendants.

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CIVIL ACTION NO. H-07-0508


APPELLATE DEFICIENCY ORDER

On February 7, 2007, this Court dismissed the civil rights complaint filed by state inmate Edward R. Newsome (TDCJ #437698) as barred by 28 U.S.C. § 1915(g) and by a preclusion order entered against him previously in this district. *See Newsome v. Sutter*, Civil Action No. H-04-3596 (S.D. Tex. Nov. 26, 2004) (entering a preclusion order against Newsome, and directing the Clerk's Office to return "all mail" from Newsome marked "Frivolous Filer, Return to Sender"). Alternatively, the Court found that the pending complaint was subject to dismissal as frivolous and malicious.

Newsome has filed a notice of appeal. (Doc. # 9). The Clerk has provided a copy of his notice of appeal to the Fifth Circuit. Because he is barred from proceeding as a pauper by § 1915(g), Newsome is advised that he must pay the full appellate filing fee (\$455.00) within thirty days of the date of this order.

The Clerk shall provide a copy of this order to the plaintiff.

SIGNED at Houston, Texas, on February, 2007.



Nancy F. Atlas
United States District Judge